

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION**

RANDALL McARTY  
ADC #101565

PLAINTIFF

V.

NO: 4:07CV00527 WRW

MIKE BEEBE

DEFENDANT

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. IT IS THEREFORE ORDERED THAT:

1. Defendant's motion to dismiss (docket entry #10) is GRANTED, and Plaintiff's complaint is DISMISSED WITH PREJUDICE.
2. All pending motions are DENIED AS MOOT.
3. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 23rd day of August, 2007.

/s/ Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT JUDGE